

Part One: About the RFP

Section One: General Information

1. Introduction

1.1 Purpose

The purpose of this Request for Proposals (RFP) is to solicit proposals to the Department of Workforce Development (DWD or the Department) to select agencies to administer Wisconsin Works (W-2) and Related Programs in Wisconsin.

Four types of agencies are solicited in this RFP:

- Balance of State (BOS) W-2 Agencies [i.e. W-2 and Related Programs Agencies in the Wisconsin areas outside Milwaukee County];
- Milwaukee W-2 Case Management Agencies (CMA) [i.e. W-2 and Related Programs CMA in Milwaukee County];
- Milwaukee W-2 Job Development and Placement Agencies (JDPAs) [i.e. W-2 and Related Programs JDPAs in Milwaukee County]; and
- Milwaukee Supplemental Security Income (SSI) Advocacy Agency [i.e. SSI/Social Security Disability Insurance (SSDI) Advocacy Agency in Milwaukee County for W-2 and Related Programs].

In this RFP, these four types of agencies are collectively referred to as W-2 Contract Agencies.

W-2 and Related Programs are a comprehensive array of employment and training services including job development and placement; job retention; eligibility determinations for child care; W-2 case management; FoodShare Employment and Training (FSET); Job Access Loans (JALs); Refugee Cash Assistance (RCA); Refugee Medical Assistance (RMA); Emergency Assistance (EA); and the optional programs of Children First and Contracted Child Care.

Any changes to this RFP, including items that are pending in the Wisconsin Biennial Budget Act, will be issued in an addendum to this RFP.

1.2 W-2 Overview

W-2, from its inception, has been designed to assist eligible individuals in connecting to the workforce. The premise of W-2 is that individuals and their families can best achieve self-sufficiency through employment. This is the fifth W-2 RFP to be released to solicit bids to operate the W-2 program in Wisconsin. Over time, the program has evolved in response to DWD monitoring, W-2 Agency experience and sharing best practices, W-2 Agency challenges and Legislative Audit Bureau (LAB) audits. In the early years of the program, a great deal of discretion was delegated to W-2 Agencies. As the program has matured, W-2 has become more closely focused on strategies that effectively connect low income individuals to the workforce. The Department provided its most recent guidance in this area

through Administrator's Memo 04-16 in July of 2004 – Policy Priorities and Strategies for Achieving W-2 Employment Goals. In addition, experience in operating W-2 has shown what safeguards need to be in place to assure the effective and efficient expenditure of public funds.

The focus of this RFP is on:

- Assisting program participants in making what might be their initial connection to employment;
- Ensuring that participants strengthen connections to employment and career ladders;
- Providing employment stabilization services that ensure employment retention and rapid reattachment; and
- Providing assistance in obtaining SSI/SSDI for those participants with multiple and severe barriers to employment.

The Department encourages programs funded under this RFP to provide services that are strengths-based, family-centered and respectful of participants' interests and goals. The program must also focus on ensuring that participants work cooperatively with W-2 Contract Agency staff to participate in appropriately assigned activities. This focus will identify and build on the strengths and skills of individuals and families and ensure agency and participant accountability that results in successful outcomes for families.

This RFP builds on the program focus and monitoring efforts, initiated by the Department, and strengthens the following program and financial management aspects of W-2 in important ways.

Improved Financial Management:

- New performance incentives that require large W-2 Contract Agencies to earn twenty percent (20%) of their administrative and service contract amount through W-2 Program outcomes;
- Increased management and financial accountability expectations for W-2 Contract Agencies in the areas of financial reporting requirements, cost reimbursement controls, oversight over additional costs, such as promotional expenses, telecommunication, executive compensation, costs for legal services and rent;
- Increased emphasis on efficient provision of services through the encouragement of the expansion of consortia for geographic areas with few W-2 paid and unpaid, FSET and child care only participants; and,
- Extension of the length of the W-2 and Related Programs Contract from two (2) to four (4) years to promote stability, stretch administrative funds and strengthen Partnerships in the Wisconsin Job Center Network.

Improved Programming:

- New Performance Standards to clearly reinforce the program objective of connecting individuals to the workforce;
- New performance expectations that W-2 Contracts may be terminated for failure to meet agreed upon expectations after each year;

- Increased emphasis on connecting to local employers to expand job opportunities for W-2 job seekers and the availability of short-term customized training to make W-2 job seekers more job ready for employers;
- Increased attention to job retention strategies to assure that when W-2 job seekers find a job they are able to keep a job or become quickly re-employed if they lose the first job;
- New requirements to integrate service delivery methods with other workforce development programs and providers such as the Workforce Investment Act (WIA), Vocational Rehabilitation and the technical college system, other family support systems such as Child Welfare and strong connections to crucial supports for W-2 participants such as child support, child care, FoodShare, Medicaid; and,
- Increased emphasis to provide workforce connection services in conjunction with the state's Job Centers including close cooperation with the area WDB.

Milwaukee Programming:

- Increased focus on establishing effective attachments to the workforce through stronger connections with employers through the use of a JDPa;
- Increased focus on the provision of effective case management services through specialized CMAs;
- Increased focus on expeditiously assisting people who are presumptively eligible for SSI/SSDI benefits through a specialized SSI/SSDI Advocacy Agency;
- Creation of a Preferred Provider registry to be used by Milwaukee W-2 Contract Agencies for specialized assessment, treatment and counseling services that will assure quality service, cost savings and community involvement; and,
- Creation of an "Ombudsperson" at DWD to support W-2 applicants and participants in rapidly addressing their needs and concerns with W-2 Contract Agencies.

1.3 W-2 and Related Programs Policies and Procedures

This RFP, the W-2 and Related Programs Contracts (hereinafter referred to as the Contract), and the Department's policies and procedures define the program requirements.

The Department's policies and procedures for W-2 and Related Programs can be accessed through the following web links:

[Wisconsin Statutes](#)

[Wisconsin Administrative Code](#)

[Wisconsin Works \(W-2\) Food Stamp Employment and Training Manual](#)

W-2 Program Manual at:

http://www.dwd.state.wi.us/dws/manuals/w-2_manual/first_page.htm

W-2 Administrative (Policy) Memo's at:

<http://www.dwd.state.wi.us/dws/adminmemos/default.htm>

W-2 Operations (Policy) Memo's at:

<http://www.dhfs.wisconsin.gov/em/ops-memos/>

A Reference Version Contract is attached (Appendix H). The provisions of the Contract will be finalized by the Department prior to issuance for agency signature.

The Department of Health and Family Services (DHFS) administers Medicaid and FoodShare. Please refer to DHFS for information relating to those programs.

In accordance with Wisconsin's combined application processing system for W-2, FoodShare, Medicaid and Child Care, the W-2 Contract Agencies must provide the opportunity to initiate the application process for Medicaid and FoodShare in order to establish an application filing date.

The Department's financial policies for contracts and grants can be found at http://dwd.wisconsin.gov/dws/grants_contracts/default.htm.

The civil rights requirements for contracts and grants can be found at http://www.dwd.state.wi.us/dws/civil_rights/default.htm.

2. Responding to the RFP

The following information is provided to assist entities in preparing a response to this RFP.

2.1 Length of Contract

To promote program stability and realize savings in administrative costs, the duration of this W-2 and Related Programs Contract under this RFP is for a four (4) year period. The Contract Period is January 1, 2006, through December 31, 2009, and is referred to in this RFP as the 2006-09 W-2 Contract.

The Department shall continually review the W-2 Contract Agency's performance annually. In addition the Department will review the W-2 Contract Agency's performance annually. The purpose of the review shall be to determine if the agency is meeting the Performance Standards and whether the Department shall take an action under Contract Sections 16 (on-site visits), 17 (contract compliance, monitoring and corrective action), 18 (failure penalty) or 20 (termination) or any other provision of the Contract. Contracts of W-2 Contract Agencies who do not meet the annual performance review benchmarks may be terminated.

2.2 Funding Availability

Although the Contract is for a four (4) year period, funding is provided by the Legislature on a two (2) year cycle. Information on funding allocations for the 2006-07 period of the W-2 Contract is contained in Appendix A of this RFP. These allocations reflect preliminary funding levels and are subject to change based on passage of the State Biennial Budget. Funding will be closed out at the end of the second and fourth years of the Contract, in

accordance with the Department's financial close-out process. [See Section 26 of the Reference Contract (see Appendix H)].

2.3 Incentive Based Contracts

W-2 Contract Agencies whose Community Service Jobs (CSJ) caseload reaches fifty (50) or more for three (3) consecutive months will be subject to Incentive Based Contracts. In an Incentive Based Contract twenty percent (20%) of the administration and services funding must be earned through achieving specific program outcomes. Specific outcomes include Job Entry Rate, Success in the Workforce and SSI/SSDI Approval Rates. The twenty percent (20%) is reimbursement of allowable costs released when program outcomes are met.

2.4 Performance Standards

W-2 Contract Agencies are required to meet the Performance Standards, related policies and other accountability standards for the 2006-09 W-2 Contract. The Department will determine Performance Standards for each W-2 Contract Agency giving consideration to geographic, economic and demographic variations. The Performance Standards and related policies and information can be found in Appendix B of this RFP.

2.5 W-2 Geographic Areas

Except for federally recognized American Indian reservations and Milwaukee County, each W-2 Contract Agency's geographic area must include one or more counties.

For allocation purposes, for the CMA and JDPA, Milwaukee County will have five (5) W-2 geographic areas. A map of the Milwaukee Regions is provided in Appendix C of this RFP.

2.6 W-2 Geographic Areas Open for Competition under this RFP

This RFP covers all geographic areas for which proposer agencies may submit competitive proposals. See Appendix D of this RFP for the geographic areas that are open for competition.

Information will be provided during the RFP process identifying additional W-2 geographic areas available for competition under this RFP.

2.7 Right of First Selection (RFS)

Some items related to RFS are included in this RFP for reference by proposer agencies.

Some existing W-2 agencies earned RFS for the 2006-09 W-2 and Related Programs Contract. An agency that earned RFS does not have to compete for the geographic area(s) for which it earned RFS. Appendix D of this RFP identifies the geographic areas where agencies earned RFS.

To be awarded a 2006-09 W-2 and Related Programs Contract, RFS W-2 Contract Agencies must respond to the Department's recontracting instructions with an RFS W-2 and Related Programs Plan which is determined to be acceptable by the Department. The Department will issue the recontracting instructions in a Division of Workforce Solutions (DWS) Administrator's Memo, which will be posted on the Department's web site by

the date in the Anticipated Timetable (see Part One, Section One, 3, Anticipated Timetable).

Agencies selected to administer a contract under this RFP have the opportunity of earning RFS for the Contract Period beginning January 1, 2010, by achieving the Department's Performance Standards for the 2006-09 Contract. The W-2 Contract Agency's progress in meeting Performance Standards will be measured annually. RFS will be determined based on performance through 2008, the end of the third year of the Contract.

2.8 Letter of Intent to Contract or Relinquish RFS by RFS Agencies

An Agency that earned RFS must submit to the Department a Letter of Intent to recontract or to relinquish its RFS by the date in the Anticipated Timetable (see Part One, Section One, 3, Anticipated Timetable).

A written Letter of Intent must be provided on the official letterhead of the W-2 Contract Agency or on the Departmental issued form (Letter of Intent sent to W-2 Contract Agencies separately). The written request must be signed by the W-2 Contract Agency's authorized representative and sent to Mary Tremain (see address information on the page immediately following the RFP cover page).

In the event that one or more agencies relinquish their RFS, Appendix D of this RFP will be updated to add geographic areas open for competition.

2.9 Who May Apply

2.9.1 Legal Eligible Entities

Entities eligible to submit proposals under this RFP are agencies with the capacity to effectively administer W-2 and Related Programs, and include but are not limited to:

- a) Government agencies;
- b) Private, not-for-profit entities;
- c) Private, for-profit entities;
- d) Tribal governing bodies; and
- e) Consortia with one of the above as the Lead Agency.

The WDB may not provide services directly; the WDB must subcontract services under this RFP to providers.

With the exception of government agencies and tribal governing bodies, Proposer Agencies selected to be W-2 Contract Agencies must be duly incorporated and registered under Wisconsin Statutes. If a Proposer Agency which is not a government agency or tribal governing body is not incorporated at the time the proposal is submitted, the Proposer Agency must become incorporated and registered under Wisconsin Statutes within sixty (60) calendar days of the Notice of Intent to Award the Contract(s) notification stating that the Proposer Agency has been selected for a contract under this RFP. (See Anticipated Timetable, Part One, Section One, 3)

2.9.2 Consortia

For W-2 and Related Programs, a W-2 consortium is a combination of W-2 geographic areas in the same Workforce Development Area (WDA). A listing of the WDAs is provided in Appendix E of this RFP.

The Department encourages the formation of consortia. Advantages of operating W-2 and Related Programs as a consortium may include economies of scale and enhanced ability to respond to changes in caseloads. A consortium also has flexibility among and between allocations for the consortium's geographic areas and a combined base for the determination of performance. In promoting consortia throughout the State, the Department encourages Proposer Agencies to include geographic areas with a small combined caseload into a new larger W-2 Contract Agency.

The Department may give additional consideration to consortia proposals during the evaluation process. A consortium may be proposed by a single entity (such as a private entity or a governmental agency) or by two or more agencies combining their efforts. If more than one entity/agency works together as partners, one must be designated as the Lead Agency. The Lead Agency will be the single point of contact between the consortium and the Department and will be accountable for the operation of the consortium. The submission of any consortium proposal must be made by the Lead Agency. The combined W-2 geographic areas of the consortium will be treated as a single W-2 Contract Agency.

An agency (RFS and non-RFS) may voluntarily agree to form a consortium with non-RFS agencies within a WDA. Agencies with total caseloads (W-2 paid, W-2 unpaid, FSET and Child Care) of less than 100 cases are strongly encouraged to form a consortium or to become part of a consortium that comprises a total caseload of at least 250 cases. Caseload data from May 2005 should be utilized for this purpose (see Appendix F).

An RFS agency (consortium or non-consortium) acting as the Lead Agency proposing to include one or more non-RFS geographic area(s) must complete the RFP including the Request for Consortium Formation (Form 1B). Letters of support, if available, from the signature authority of a non-RFS geographic area(s) included in the proposed consortium should be attached to Form 1B. All RFS agencies, not just the Lead Agency, involved in a competitive proposal to form a new consortium will retain their RFS status if the non-RFS geographic area(s) is not awarded to the proposed consortium.

All non-RFS agencies must complete the RFP and the Request for Consortium Formation (Form 1B) in order to become a Lead Agency of a consortium.

2.10 Integration of Services into Job Centers and the Public Workforce System

The full integration of W-2 and Related Programs in the Job Center System, and integration with employment and training services is required. The Department also requires W-2 Contract Agencies to work with other service providers, such as the Child Welfare Agency, providers of Domestic Violence Services and Housing Agencies, when families are working with multiple service providers. Service integration is intended to ensure that W-2 Contract Agencies and other service providers are working together with families in common to identify services and develop plans that are consistent and effectively assist the family to address the needs of the family and move toward self-sufficiency. This may be accomplished through a variety of co-case management strategies with families involved in multiple programs.

2.10.1 Service Integration and the Public Workforce System

For the BOS, Milwaukee CMAs and JDPAs, the Department requires demonstrating integration of services by the W-2 Contract Agency with:

a) Job Center System:

- Including co-location of W-2 employment and training services/staff where a Job Center exists in the W-2 geographic area; and
- Network of affiliated sites maintained by the W-2 Contract Agency when necessary for better geographic coverage.

b) Employment and Training Services:

- WIA Programs, including Youth, Adult and Dislocated Work Programs administered by the WDB, including but not limited to co-enrollment and co-case management;
- Adult job training administered by the Technical Colleges; and
- Vocational rehabilitation administered by the Department's Division of Vocational Rehabilitation (DVR).

The demonstration of service integration must include the W-2 Contract Agency's plan and timeline throughout the 2006-2009 W-2 Contract Period for planning and working together with the service providers listed above.

2.10.2 Service Integration with other Workforce Support Service Providers

W-2 Contract Agencies may be given additional consideration for demonstrating integrated services with other service providers such as housing agencies, corrections, providers of services to victims of domestic violence, County and/or Tribal Social/Human Services programs, including FoodShare, Medicaid, Child Support and Child Care administration that provide additional support focused on ensuring success in the workforce.

For additional consideration, the demonstration of service integration must include the W-2 Contract Agency's plan and timeline throughout the Contract Period for working together with the service providers listed above.

2.11 Service Integration and Child Welfare

W-2 Contract Agencies must demonstrate integration of services with the local Child Welfare Agency for families receiving services from both programs. Integrated services may include, but are not limited to, sharing common assessment information, joint planning, and coordinating referrals to Alcohol and other Drug Abuse (AODA), Mental Health and other services providers.

For additional consideration, the demonstration of service integration must include the W-2 Contract Agency's plan and timeline throughout the Contract Period for working together with the service providers listed above.

2.12 Workforce Development Board Involvement

Workforce Development Boards (WDB) play a leadership role in establishing the workforce development area vision and goals. As a mandatory one-stop partner, W-2 Contract Agencies must work cooperatively with the area WDB to ensure agency proposals and plans are consistent with the system-wide strategic goals set by the WDB.

To facilitate workforce program coordination, agencies selected to administer W-2 and Related Programs and RFS Agencies must work cooperatively with the WDB to finalize planning for the implementation and operation of W-2 and Related Programs.

Proposers must demonstrate that the area WDB was involved in the development of the W-2 and Related Programs plan submitted as their response to this RFP. Proposers must also demonstrate a commitment to continue to work cooperatively with the area WDB. The area WDB must review and approve the W-2 and Related Programs plan in accordance with Form 12 of this RFP which must be included with the proposal. If the WDB withholds its approval, the proposer may seek resolution from the DWS Division Administrator.

2.13 How to Apply

To submit a proposal under this RFP, a Proposer Agency must complete a W-2 and Related Programs Proposal, which consists of this RFP's Response Items for three sections:

- Management and Financial Accountability;
- Program Plan, with the applicable subsection for BOS, CMA, JDPa and SSI Advocacy; and
- Budget.

Where applicable, each main point in the RFP will be comprised of the following components:

Summary:

This is a general description of the requirements. Department policies provide more detailed information about requirements. These summary items and program policies are also contract terms and conditions.

Response Items:

This is a list of items to which the Proposer Agency must respond. The responses are required to assess the quality of the agency's plan to provide quality services to applicants and participants and management and financial accountability for the administration of W-2 and Related Programs.

The Proposer Agency must complete all required Response Items and attach all required documents provided as forms to this RFP.

After the selection of the W-2 Contract Agency, the Department may require changes prior to approving the Proposal as the W-2 and Related Programs Plan.

3. Anticipated Timetable

Listed below are specific and estimated dates and times of actions related to this RFP and RFS recontracting. The actions with specific dates must be completed as indicated unless otherwise changed by the Department. In the event that the Department finds it necessary to change any of the specific dates and times in the calendar of events listed below, it will do so by issuing an addendum to this RFP. There may or may not be an addendum issued for changes in the estimated dates and times.

<u>Item/Activity</u>	<u>Date</u>
a) Announce final RFS Agencies.....	June 14, 2005
b) Issue Notification to RFS Agencies seeking a Letter of Intent to contract.....	June 15, 2005
c) RFP issued.....	June 24, 2005
d) Recontracting Instructions Issued to RFS Agencies	July 1, 2005
e) Proposer Agency Conference and RFS Recontracting Meetings	
BOS Proposer/RFS Recontracting.....	July 6, 2005*
Milwaukee Proposers	July 7, 2005*
f) RFS Agencies Letter of Intent to Recontract or to Relinquish RFS Due.....	July 25, 2005
g) W-2 and Related Programs Proposals Due	July 29, 2005 4:00 p.m., Central Time
h) Oral Presentations (if required)	Week of August 15 through August 19, 2005*
i) Notice of Intent to Award Contracts and Announcement of Additional Competitive W-2 Geographic Areas	September 9, 2005*
j) RFS Agency W-2 and Related Plans Due.....	September 15, 2005*
k) Contracts Issued by DWS	October 28, 2005
l) Contract Effective Date	January 1, 2006

* Estimated

4. Procurement

The Department will conduct the procurement process for this RFP in accordance with the federal regulations contained in 42 CFR 434.10, 45 CFR 95.613, and 45 CFR 74. The process for selecting W-2 Contract Agencies under this RFP is exempted from Section 16.75(1) to (5), 16.705, 16.72(2)(e), (f) and (5), Wisconsin Statutes.

4.1 Contact Point and Clarification of Specifications and Requirements

All questions regarding the procurement process under this RFP shall be submitted to Mary Tremain (see address information on the page immediately following the cover page).

Prospective Proposer Agencies may submit technical and contractual questions raised by this RFP in writing or by electronic transmission to the Department at the address given on the cover page. For purposes of this provision, e-mail and fax also qualify as "in writing".

Be sure to reference the RFP page number, part, section and subsection for each question submitted. Make questions as specific as possible and offer proposed solutions to perceived problems. The Department reserves the right to determine whether or not to respond.

4.2 Electronic Communications

Addenda to this RFP will be issued on the RFP website at:
<http://dwd.wisconsin.gov/dws/w2/rfp/2006-2009/default.htm>.

All clarifications to this RFP will be published on the above website. This website is the official source for additional information.

It is the Proposer Agency's responsibility to read the materials posted on this website, including all questions and answers posted as clarifications to the RFP.

4.3 Proposer/Recontracting Conferences

The following conferences will be held in order to respond to questions and to provide any needed additional instruction:

- BOS Proposer/RFS Recontracting - July 6, 2005
- Milwaukee Proposers - July 7, 2005

Additional details on these conferences will be available on
<http://dwd.wisconsin.gov/dws/w2/rfp/2006-2009/default.htm>

The Department recommends that all proposer agencies attend the entire Proposer Agency conference that pertains to its proposal(s). RFS Agencies are encouraged to attend as well for responses to recontracting instructions.

4.4 Proposal Organization and Submission Requirements

4.4.1 General Instructions

The evaluation of proposals and selection of a W-2 Contract Agency and the ensuing contract will be based on the information submitted in the Proposer Agency's proposal in addition to references and any required oral presentations. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a proposal.

Elaborate proposals (e.g., expensive artwork) beyond that sufficient to present a complete and effective proposal, are neither necessary nor desired.

4.4.2 Submission of Proposals

Proposals must be delivered to the Department of Workforce Development, 201 East Washington Avenue, Madison, Wisconsin 53707-7972.

Proposals submitted, in whole or in part, by FAX or e-mail will be rejected. Late proposals will be rejected.

Proposals must be prepared in accordance with the requirements set forth in this RFP. A proposal must be submitted for each area the Proposer Agency is proposing to administer. An area may be a W-2 geographic area, a consortium or a Milwaukee agency.

BOS:

- If proposing to administer W-2 in two different WDAs, a separate proposal for each WDA is required.
- If proposing to administer W-2 in more than one W-2 geographic area in the same WDA, the Proposer Agency is encouraged to submit a consortium proposal.
- A proposal for a consortium must be submitted by the Lead Agency for the consortium.

Milwaukee:

- Agencies may propose to be one, two or all three agency types in Milwaukee (CMA; JDPA; SSI Advocacy); a separate proposal is required for each agency type.
- A CMA and JDPA agency type will be selected to serve each region in Milwaukee County.
- An agency may propose to provide CMA services in more than one Milwaukee County Region.
- An agency may propose to provide JDPA services in more than one Milwaukee County Region.
- Only one agency will be selected to provide SSI Advocacy to all regions of Milwaukee County.

The original and **five** (5) copies [six (6) total sets] of the proposal for each area, under sealed cover in one package, must be received by the Department by the dates and times listed in this RFP (see Part One, Section One, 3, Anticipated Timetable). The original must be clearly identified as the original.

Proposers mailing their proposals or using a commercial delivery service must allow sufficient time for delivery of their proposals by the time specified. Proposals received after that time will not be considered and will be returned unopened.

All proposals must be date and time-stamped by the Department by the stated time. Proposals not so stamped will not be accepted. Receipt of a proposal by the Department mail system does not constitute receipt of a proposal for purposes of this RFP.

The outside cover of the package containing the proposal is to be marked:

PROPOSAL TO ADMINISTER WISCONSIN WORKS

RFP # DWD-ME-2049

Proposer Agency's Name and Address

Proposer Agency's Contact name, address
and phone number

Type of Agency (see RFP section 1.1)

Geographic Area (s)

Proposal Due Date

4.4.3 Proposal Organization and Format

4.4.3.1 Proposals must be typewritten and submitted on plain 8.5 by 11 inch white paper bound securely. The original and copies of the proposal must be bound securely. The Department requires that proposals be printed two sided to reduce waste and the costs associated with freight and storage. The maximum number of pages for a W-2 and Related Programs proposal including Management and Financial Accountability and the Program Plan and all attachments is two hundred fifty (250) pages. The minimum font size is ten (10) points. The financial statements required under this RFP Part Two, Section One, 1.16 are a separate submittal and are not included as part of the two hundred fifty (250) page limit. The Proposer Agency's name must appear on each page of the proposal. Each page must be numbered.

Proposals are to be organized with the Response Items headings, subheadings and alpha and numeric delineations in the same order and sequence as this RFP. Each heading and subheading should be separated by tabs or otherwise clearly marked. The responses are to be numbered/lettered exactly as they are in this RFP. The RFP sections that must be submitted (unless identified in the Response Items of this RFP as optional) are:

- Section One: Management and Financial Accountability, Response Items;
- Section Two: Program Plan, Response Items, as appropriate for BOS, CMA, JDPA or SSI Advocacy; and
- Section Three: Budget and Expenditure/Enrollment Plan.

- 4.4.3.2** Failure by a Proposer Agency to meet RFP requirements, in whole or in part may result in the rejection of the proposal at the sole discretion of the Department.
- 4.4.3.3** This RFP may or may not result in an award of a contract. The Department reserves the right, at its sole discretion, to cancel this RFP at any time and for any reason, and to reject any or all proposals at any time and for any reason. Receipt of proposals by the Department confers no rights upon the proposer. Receipt of proposals shall not, in any manner whatsoever, obligate the Department, the State of Wisconsin, or any employees thereof.
- 4.4.3.4** The Department reserves the right to cancel this RFP at any time for one or more geographic areas. In the event the Department cancels the solicitation for one or more of the geographic areas, it may continue to solicit proposals for the remaining geographic areas. The Department reserves the right to add geographic areas to the RFP if this is in the best interest of the Department.

4.5 Deviations and Exceptions

Deviations and exceptions from this RFP, terms, conditions, or specifications may be considered but not necessarily agreed to by the Department, provided they are described fully, on the Proposer Agency's letterhead, signed, and attached to the proposal. In the absence of any deviation and exception approved by the Department, the proposal shall be accepted in strict compliance with all terms, conditions, and specifications and the proposer shall be held liable.

4.6 Withdrawal of Proposal

Proposals may be withdrawn by written request. Proposals may be withdrawn in person by the Proposer Agency or the authorized representative, providing that his/her identity is made known and he/she signs a receipt for the proposal.

4.7 Restrictions on Contacts with State Personnel

No contacts with state employees concerning this RFP are permitted during the period from the date of release of this RFP until a determination is made and announced regarding contract awards. Exceptions to this provision are contacts associated with the administration of this RFP as directed in Part 1, Section 1, 4.1 of this RFP, and contacts associated with preparing a Response Item referencing integration of services in the Job Center with the Department's DVR and/or the DWS Job Service Bureau, and service integration with the Department of Health and Family Services.

4.8 Retention of Proposer Materials

All proposer materials submitted as part of this RFP process become the property of the Department.

4.9 Incurring Costs

The Department is not liable for any cost incurred by Proposer Agencies in replying to this RFP, including, but not limited to, loss of materials submitted for evaluation purposes. **Accordingly, time and other costs of preparing a proposal are not allowable W-2 and Related Programs Contract expenses.**

4.10 News Releases

Reference to or use of the State of Wisconsin, any of its departments, agencies or other subunits, or any state official or employee for commercial promotion is prohibited. News releases initiated by the Proposer Agency pertaining to this procurement shall not be made without prior approval of the Administrator of DWS. Release of broadcast e-mails pertaining to this procurement shall not be made without prior written authorization of DWS.

4.11 Proprietary Information

Any restrictions on the use of data or other information contained within a proposal must be clearly stated in the proposal itself. Proprietary information submitted in response to a request will be handled in accordance with applicable State of Wisconsin procurement regulations and the Wisconsin public records law. Proprietary restrictions normally are not accepted. However, when accepted, it is the Proposer Agency's responsibility to defend the determination in the event of an appeal or litigation.

Data contained in a proposal, all documentation provided therein, and innovations developed as a result of the contracted commodities or services cannot be copyrighted or patented. All data, documentation, and innovations become the property of the State of Wisconsin.

Any material submitted by the Proposer Agency in response to this RFP that the Proposer Agency considers confidential and proprietary information and which qualifies as a trade secret, as provided in section 19.36(5) of the Wisconsin Statutes, or material which can be kept confidential under the Wisconsin public records law, must be identified on the Designation of Confidential and Proprietary Information (Form 5) of this RFP (see Part 2, Section 1.22). Cost proposal prices cannot be held confidential.

4.12 Certification of Independent Price (Cost) Determination

1. By signing the proposal, the Proposer Agency certifies, each party thereto certifies as to its own agency, that in connection with this procurement:
 - a) The prices (costs) in this proposal have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices (costs) with any other Proposer Agency or with any competitor;
 - b) Unless otherwise required by law, the prices (costs) which have been quoted in this proposal have not been knowingly disclosed by the Proposer Agency and will not knowingly be disclosed by the

Proposer Agency prior to award in the case of a negotiated procurement, directly or indirectly to any other Proposer Agency or to any competitor; and,

- c) No attempt has been made or will be made by the Proposer Agency to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
2. Each person signing this proposal certifies that:
- a) He/she is the person in the Proposer Agency responsible within that agency for the decision as to the prices (costs) being offered herein and that he/she has not participated, and will not participate, in any action contrary to the Certification of Independent Price (Cost) Determination section and subsection above; or,
 - b) He/she is not the person in the Proposer Agency responsible within the agency for the decision as to the prices (costs) being offered herein, but that he/she has been authorized in writing to act as agent for the persons responsible for such decisions in certifying that such persons have not participated, and will not participate, in any action contrary to the Certification of Independent Price (Cost) Determination section and subsection above, and as their agent does hereby so certify; and he/she has not participated, and will not participate, in any action contrary to the Certification of Independent Price (Cost) Determination section and subsection above.

5. Selection and Award Process

5.1 Preliminary Evaluation

The proposals will first be reviewed to determine if minimum submission requirements are met. Minimum submission requirements include factors such as timely submittal, signature requirements, completion of Proposal Sections and Forms, submission of audit data, submission requirements for consortium proposals, submission requirements for Milwaukee Agency types. Failure to meet minimum submission requirements may result in the proposal being rejected. In the event that all Proposer Agencies do not meet one or more of the minimum submission requirements, the Department reserves the right to continue the evaluation of the proposals and to select the proposal which most closely meets the requirements specified in this RFP. The determination of whether an RFP condition is substantive or an informality shall reside solely with the Department.

5.2 Detailed Proposal Evaluation

Proposals will be reviewed by evaluation committees and evaluated against established criteria. A Proposer Agency may not contact any member of an evaluation committee except at the Department's direction. The committee may review references, request interviews, and/or conduct on-site visits and use the results in evaluating the proposals. Each proposal that passes the Preliminary Evaluation (5.1) will be evaluated at the detailed level. Responses from each member of the evaluation committees will be reviewed and used for evaluative purposes.

Proposed budgets will be compared to the Program Plan and evaluated for reasonability and correlation to planned services and participant service and projected outcome levels.

Proposer Agencies that wish to claim minority proposer preference must indicate this on Form 6. Additional consideration will be given to Proposer Agencies to allow for a preference to a certified minority business under section 16.75(3m) of the Wisconsin Statutes.

5.3 Oral Presentations

Proposer Agencies may be required to make oral presentations to a panel of representatives named by the Department. The panel will consider the clarity of the presentation, responses to questions, and demonstrated experience with programs of similar focus and magnitude. The focus of an oral presentation will include areas such as related programmatic experience and financial and administrative management. After the oral presentations are held (if required), final recommendations will be assigned to the proposals using the stated criteria.

Proposer Agencies receiving the highest recommendations in the Detailed Proposal Evaluation will be notified of the time and place for the oral presentations, if determined necessary. The oral presentation will be made at no cost to the State of Wisconsin. Although oral presentations may occur, Proposer Agencies should include information in their proposal that is as complete as possible. Proposer Agencies invited to make oral presentations are required to include the key staff person who will be responsible for administering the W-2 program. If oral presentations are held, the proceedings may be recorded by the Department and the panel's questions and Proposer Agency's responses may be part of any ensuing contract.

5.4 Evaluation Process

Each geographic area that is open for competition will result in a competitive process. Proposer Agencies for a geographic area are in competition with other Proposer Agencies for that same geographic area or consortium proposals for that same geographic area.

The Department reserves the right to utilize different evaluation processes in selecting Milwaukee and BOS W-2 Contract Agencies for the next Contract Period.

The process shall include the following steps:

- a) Preliminary Evaluation of Proposals for Completeness
- b) Detailed Evaluation of Proposals
 - BOS Proposals
 - Milwaukee CMA Proposals
 - Milwaukee JDPAs Proposals
 - Milwaukee evaluation of SSI/SSDI Advocacy Proposals
- c) Oral Presentations (if required)
- d) Recommendations to the Department Secretary

Forms required by this RFP are mandatory.

As a procurement tool, the RFP process by design includes subjective elements. The bid may contain elements of pass/fail, and other criteria as selected for various aspects of the proposal. It is not an exam, where there are right and wrong answers to essay-type questions. Instead, proposers are asked to describe their administrative experience, qualifications and experience with this type of contract and their proposed plan for addressing the various elements of the contract. This approach allows each proposal to be evaluated on its combined strengths and weaknesses. The proposals are evaluated individually by the evaluators, and agreement among the evaluation committee members is not required.

Any W-2 Contract Agency that is or has been under a Corrective Action Plan by the Department at any time between January 1, 2004 and the date the proposal is reviewed will have the Corrective Action Plan and the agency's follow-up reviewed as part of the evaluation process.

5.5 Awards and Final Offers

The Department reserves the right to accept or reject any or all proposals, to waive any technicality in any proposal submitted, and to accept any part of a proposal as deemed to be in the best interests of the State of Wisconsin.

The Department Secretary shall make the final decision on the contract award for each W-2 Contract Agency. The Department reserves the right to reject any or all proposals and adjust the terms of a proposal, including the award amount and W-2 and Related Program activities, with a selected Proposer Agency prior to entering into a contract. If contracting cannot be concluded successfully with the selected Proposer Agency for a geographic area, the Department may contract with another successful proposer under this RFP, or, the Department may, at its option, if it is in the best interest of the Department and geographic area to be served, contract with a Proposer Agency selected under this RFP or an RFS agency to provide services for an open geographic area.

If no proposals, or no acceptable proposals are received for a geographic area, the Department reserves the right to contract for the W-2 and Related Programs with any W-2 Contract Agency selected under this RFP process or an RFS Agency.

If no acceptable provider in a geographic area is selected, the Department will administer or arrange for the administration of the W-2 program for that geographic area.

If, for any reason, a contract is terminated at any time during the Contract Period, the Department reserves the right to contract for the balance of the Contract Period with any acceptable proposer that has met the minimum RFP response standards, or with any existing contractor serving another geographic area.

5.6 Notice of Intent to Award

All Proposer Agencies who respond to this RFP will be notified in writing of the Department's intent to award the contract(s) as a result of this RFP. The Notice of Intent to Award Contracts will be mailed to the contact named on each proposal.

5.7 Required Pre-contract Phone Conference

Any Proposer Agency that receives a Notice of Intent to Award Contracts (or authorized designees) will be required to participate in a pre-contract phone conference with the Department. The purpose of this conference will be to review Proposer Agency opportunities and obligations under the Contract and answer Proposer Agency questions prior to final signing of the Contracts. The Department will issue instructions and draft the agenda for the phone conference. The Department reserves the right to withdraw any Proposer Agency's Notice of Intent to Award Contracts for failure to participate in this phone conference.

Proposer Agencies may be excused from this requirement through prior arrangement with the DWS Administrator. The Department also recognizes uncontrollable factors such as sudden illness, family emergencies, and natural disasters may cause an agency to miss the phone conference even though the agency had every intention of participating. In such occurrences, the Department will not unreasonably apply the failure to participate provision of this Section.

Due to conference call capacity limitations, no more than one representative per W-2 Contract Agency may call in to the conference. (Note: Any number of representatives may participate if the W-2 Contract Agency can make a group connection to the Department's conference line.)

5.8 Transition Responsibilities of a New W-2 Contract Agency

For the purpose of this section, an agency is considered to be a new W-2 Contract Agency if the agency is not the current W-2 agency for the geographic area. New W-2 agencies awarded a contract may be able to access their W-2 contract funds to begin transition activities as soon as the contract to provide W-2 and Related Programs is signed. Terms and conditions for transition activities will be handled on an agency-by-agency basis.

A new agency's transition activities will overlap with the existing W-2 agency's contract to provide W-2 and Related Program services. New and existing agencies are expected and required to work cooperatively. Maximum use of available resources from the previous W-2 agency for that geographic area should be explored, including if applicable, facilities, Information Technology (IT) systems, equipment, etc. Further information on the responsibilities of the existing W-2 agency with respect to data clean-up, case manager transitions, and like issues will be issued at a later date via communication from the Department.

If a new agency does not have adequate time for transition before January 1, 2006, the Department strongly encourages the new agency to

subcontract with an existing W-2 Contract Agency to continue to provide some or all services until the new agency has completed the transition. All transition activities must be complete by March 31, 2006.

New W-2 agencies are required to seek technical assistance and guidance during the transition period from the Department's Contract Managers.

New W-2 agencies are required to prepare a transition plan and timeline and submit it to the Department's Contract Manager within thirty (30) calendar days of the Department's Notice of Intent to Award the Contract(s). Key elements to consider in the development of a Transition Plan include the following:

- Agency Leadership of the Transition: Staff roles and responsibilities in planning and effecting the transition.
- Timeline and Steps: The schedule and key actions to complete the transition in a timely manner.
- Communication: Communication needed regarding the transition, including applicant and participant notification of the transition.
- Costs: Planned costs of the transition.
- Facilities: Site acquisition; and acquisition/installation of office furniture, printers, copiers and other office equipment;
- IT acquisition/installation/connectivity and access: Acquisition/installation of servers and workstations; installation of data line(s) to State's data center and connection to the Department-wide area network is one of the standard Department connectivity models; obtaining Client Assistance for Re-employment and Economic Support (CARES) access, Internet access, printing and individual worker access to CARES;
- Staffing: Recruiting/Hiring staff; designation of an IT Functional Agency Security Liaison (FASL); designation of a coordinator(s) of Equal Opportunity, Affirmative Action, Limited English Proficiency; and designation of contacts on facilities and workplace safety/security;
- Training: Obtaining state policy materials for all staff; and extensive new worker training, including Policy and CARES;
- Subcontracts: Transfer of previous sub-contract service providers and the acquisition of new sub-contract service providers, as appropriate; and
- Transition of cases to new agency staff: At a new W-2 Contract Agency's request, the Department will provide summary information on participants if the register includes a signed Confidentiality Acknowledgement (Form 10) of this RFP.

5.9 Appeals Process

All appeals must be made in writing and must fully identify any contested issues. Subjective interpretations by evaluators are not subject to protest or appeal. The written appeal must be based on one of the following factors:

- a) A conflict of interest on the part of one or more evaluators.
- b) Errors were made in the evaluation of proposals.
- c) The evaluators did not adhere to the established evaluation criteria.

Any written protest of the Notice of Intent to Award Contracts must be fully documented and must be postmarked and filed with the Administrator of the Division of Workforce Solutions, Room A200, 201 East Washington Avenue, P.O. Box 7972, Madison, Wisconsin 53707-7972, and received in that office no later than five (5) business days after the Notice of Intent to Award Contracts is postmarked.

For purposes of this provision, fax communications will suffice. Appellants must use (608) 267-3240 (fax number) for this purpose and confirm timely receipt by calling telephone (608) 266-9371.

The DWS Administrator shall review the appellant's basis for the appeal and shall render a decision on the appeal.

An appellant that has an appeal denied by the DWS Administrator shall have the right to appeal the decision to the Secretary of the Department of Workforce Development, 201 East Washington Avenue, P.O. Box 7946, Madison, Wisconsin 53707-7946. The written appeal must be based on one or more of the factors listed above and must fully explain the basis for appealing the DWS Administrator's denial. The written appeal to the Department Secretary must be received in that office no later than five (5) business days (from the day postmarked) after the appeal is denied by the DWS Administrator. The Department Secretary shall review the appeal and render a final decision on awarding of the contract.

5.10 Public Records Access

It is the intention of the Department to maintain an open and public process in the solicitation, submission, review, and approval of procurement activities. However, for purposes of this RFP, there will be no public inspection prior to issuance of the Notice of Intent to Award the Contract.